

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

LIVE FACE ON WEB, LLC,	:	Civil Action
	:	
Plaintiff,	:	No. 2:16-CV-04862-NIQA
	:	
v.	:	
	:	
SPORTSAVVY INC.	:	
	:	
Defendant.	:	

AFFIDAVIT OF SERVICE BY INTERNATIONAL CERTIFIED MAIL, RETURN RECEIPT REQUESTED, PURSUANT TO FED. R. CIV. P. 4(f) AND ACCORDING TO THE RULES OF THE HAGUE CONVENTION ON DEFENDANT

I, Joseph Gable, Esquire, being duly sworn, state as follows:

- 1) I am an associate attorney with Tinovsky Law Firm, and my firm represents plaintiff Live Face on Web, LLC, in the above-captioned action and I am familiar with the file, records, and pleadings in this matter.
- 2) Upon information and belief, defendant Sportsavy Inc. ("Defendant") is a Canadian company with an address of 64 Hatt Street, Dundas Ontario, L9H 7T6 ("Defendant's Address").
- 3) Upon Information and belief, Defendant is not a minor, incompetent person, or member of the military.
- 4) On September 9, 2016, the Summons and Complaint were filed with the Court [Doc #1].
- 5) On September 22, 2016, I did prepare a Summons and Complaint to be served on Defendant.
- 6) On September 22, 2016, my office deposited with the United States Postal Service, a copy of same Summons and Complaint to be mailed by International Certified Mail, return receipt requested, to Defendant at Defendant's Address.
- 7) Attached hereto as Exhibit A is the International Return Receipt evidencing that Defendant was served, pursuant to Rule 4(f) of the Federal Rules of Civil Procedure, with the Summons and Complaint by International Mail on September 30, 2016.
- 8) Out of an abundance of caution, on September 22, 2016, my office also deposited with the United States Postal Service, a copy of the Summons and Complaint, along

with other documents and fees required under the Hague Convention, to be mailed by International Certified Mail, return receipt requested, to the Ministry of the Attorney General at the Ontario Court of Justice for service on Defendant pursuant to the Hague Convention.

- 9) Attached hereto as Exhibit B is the International Return Receipt evidencing that the Ministry of the Attorney General for Ontario ("Ministry") received the Summons, Complaint, related forms for service under the Hague Convention, and appropriate fee on October 4, 2016.
- 10) I have been informed, via e-mail attached hereto as Exhibit C, by the Ministry that Defendant was served in accordance with the Hague Convention by the Ministry on October 19, 2016, and Plaintiff is waiting for such formal proof of service from the Ministry.
- 11) Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Dated: November 3, 2016

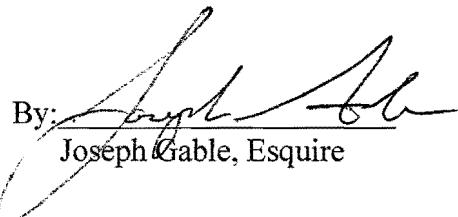
By: 
Joseph Gable, Esquire

EXHIBIT A



Case 2:16-cv-04862-NJQA

Return Receipt for International Mail
Document 4 Filed 11/03/16 Page 4 of 11
(Registered, Insured and Express Mail®)

HAMILTON WEST LETTER CARRIER DEPOT

2016 - 10 -

11

Postmark of
the office
returning the
receipt
*Timbre du
bureau
renvoyant
l'avis.*

Par Avion

Return by the
quickest route
(air or surface
mail), a découvert
and postage free.....

The sender completes and indicates the address for the return of this receipt.
(*A remplir par l'expéditeur, qui indiquera son adresse pour le renvoi du présent avis.*)

Name or Firm (*Nom ou raison sociale*)

Tinovsky Law Firm

A renvoyer par
la voie la plus
rapide (aérienne
ou de surface),
à découvert et
en franchise de
port.

Street and Number (*Rue et no.*)

5 Weshaminy Interplex, Ste 205

City, State, and ZIP + 4® (*Localité et code postal*)

Trevose PA 19053 USA

UNITED STATES OF AMERICA

Etats-Unis d'Amérique

Completed by the office of origin.
(A remplir par le bureau d'origine)

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Item Description (Nature de l'envoi)	Registered Article (Envoi recommandé)	Letter (Lettre)	Printed Matter (Imprimé)	Other (Autre)	Express Mail International
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Insured Parcel <input type="checkbox"/> (Colis avec valeur déclarée)	Insure <input checked="" type="checkbox"/>	Valeur déclarée (Value déclarée)	Article Number RE 556 911 324 US
---	---	----------------------------------	-------------------------------------

Office of Mailing (Bureau de dépôt)	Date of Posting (Date de dépôt) 9/22/16
-------------------------------------	--

Addressee Name or Firm (Nom ou raison sociale du destinataire)

Sportsway Inc.

Street and No. (Rue et No.)

64 Hatt Street

Place and Country (Localité et pays)

Dundas, Ontario L9H 7T6

This receipt must be signed by: (1) the addressee; or, (2) a person authorized to sign under the regulations of the country of destination; or, (3) if those regulations so provide, by the employee of the office of destination. This signed form will be returned to the sender by the first mail.

(Cet avis doit être signé par le destinataire ou par une personne y autorisée en vertu des règlements du pays de destination, ou, si ces règlements le comportent, par l'agent du bureau de destination, et renvoyé par le premier courrier directement à expéditeur).

The article mentioned above was duly delivered.
(L'envoi mentionné ci-dessus a été dûment livré.)

Date
9/30/16

Signature of Addressee (Signature du destinataire)

Office of Destination Employee Signature
(Signature de l'agent du bureau du destination)

Postmark of the office of destination (Timbre du bureau de destination)

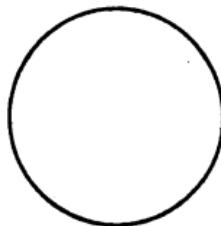


EXHIBIT B

Return Receipt for International Mail

(*Registered Mail™ and Insured Mail*)

Case 2:16-cv-04862-NIOA Document 4 Filed 11/03/16 Page 7 of 11
UNITED STATES POSTAL SERVICE®

*Administration
des Postes des
Etats-Unis
d'Amérique*

A.R. Par Avion

Postmark of
the office
returning the
receipt
(*Timbre du
bureau
renvoyant
l'avis*)

Sender: Please print your name, address, and ZIP + 4®.

(*Expéditeur: S'il vous plaît, fournir votre nom, adresse, et code postal.*)

Name or Firm (*Nom ou raison sociale*)

Tinovsky Law F.c.m

Street and Number (*Rue et no.*)

5 Neshaminy Interplex, Suite 205

City, State, and ZIP + 4 (*Localité et code postal*)

Trevose PA 19053

UNITED STATES OF AMERICA

États-Unis d'Amérique

PS Form 2865, July 2013

Avis de réception

CN07

Completed by the office of origin.
(A remplir par le bureau d'origine.)

Item Description
(Nature de l'envoi)Registered Article
(Envoi recommandé)

Insured Parcel

(Colis avec valeur déclarée)

Article Number (Numéro d'article)

Insured Value (Valeur déclarée)

RE 556 911 338 US

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Office of Mailing (Bureau de dépôt)

Date of Posting (Date de dépôt)

9/22/16

Name of Person or Firm Receiving the Article (Nom ou raison sociale du destinataire)

Ministry of the Attorney General, Ontario Court of Justice

Street and No. (Rue et no.)

393 Main Street, PO Box 1208

Place and Country (Localité et pays)

Haileybury, Ontario POJ 1K0

This receipt must be signed by: (1) the addressee; or, (2) a person authorized to sign under the regulations of the country of destination; or, those regulations so provide, by the employee of the office of destination. This signed form will be returned to the sender by the first mail.

(Cet avis doit être signé par le destinataire ou par une personne y autorisée en vertu des règlements du pays de destination, ou, si ces règlements le comportent, par l'agent du bureau de destination, et renvoyé par le premier courrier directement à expéditeur.)

Office of Destination Employee Signature
(Signature de l'agent du bureau du destinataire)

Date

2016 -10- 04

Signature of Addressee (Signature du destinataire)

POST OFFICE / BUREAU DE POSTE
HAILEYBURY

EXHIBIT C

Tinovsky Law Firm PC

Joseph Gable <jgable@tinovsky.com>

Inquiry on status of Service

JUS-G-MAG-CSD-Haileybury-HagueConvention <HagueConvention@ontario.ca>
To: Joseph Gable <jgable@tinovsky.com>

Wed, Oct 26, 2016 at 3:17 PM

Hello

The documents were served on October 19, 2016. Upon receipt of the proof of service, I will forward a copy by email and the original by mail.

Nadine Auger

Nadine Auger

Client Service Representative

Ontario Court of Justice

393 Main Street, PO Box 609

Haileybury, ON P0J 1K0

Telephone: 1-705-672-3321, ext. 214

Fax: 1-705-672-3360

HagueConvention@ontario.ca

 Ontario Ministry of Attorney General

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From: Joseph Gable [mailto:jgable@tinovsky.com]

Sent: October-24-16 11:41 AM

To: JUS-G-MAG-CSD-Haileybury-HagueConvention

Subject: Inquiry on status of Service

Hello, I am writing to inquire as to the status of service of process for a complaint we forwarded to your office. The case name is Live Face on Web, LLC v. Sportsavvy Inc. It is a case in the Eastern District of Pennsylvania, No. 2:16-cv-04862-NIQA.

The defendant to be served was Sportsavvy Inc., located at 64 Hatt Street, Dundas, On L9H 7T6.

Thank you,

Joe Gable

Joseph W. Gable, Jr., Esq.

Tinovsky Law Firm, P.C.

Five Neshaminy Interplex

Suite 205

Trevose, PA 19053

P: 215.568.6860

F: 215.701.4987

E: jgable@tinovsky.com

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